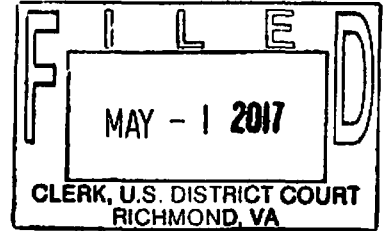


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



MITCHELL LEE AMOS,

Plaintiff,

v.

Civil Action No. 3:15CV379

BARBARA MEADE, et al.,

Defendants.

MEMORANDUM OPINION

Mitchell Lee Amos, a former Virginia inmate proceeding pro se and in forma pauperis, filed this civil rights action. The matter is before the Court on Amos's failure to serve the defendants within the time required by Federal Rule of Civil Procedure 4(m).¹

Pursuant to Federal Rule of Civil Procedure 4(m), Amos had ninety (90) days from the filing of the complaint to serve the

¹ Rule 4(m) provides:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or 4(j) (1).

Fed. R. Civ. P. 4(m).

defendants. Here, that period commenced on September 26, 2016.² By Memorandum Order entered on March 28, 2017, the Court directed Amos, within eleven (11) days of the date of entry thereof, to show good cause for his failure to serve the defendants within the time required by Rule 4(m). More than eleven (11) days have elapsed since the entry of the March 28, 2017 Memorandum Order and Amos has not responded. Accordingly, the action will be dismissed without prejudice

The Clerk is directed to send a copy of the Memorandum Opinion to Amos.

It is so ORDERED.

Date: *May 1, 2017*
Richmond, Virginia

/s/ RCP

Robert E. Payne
Senior United States District Judge

² The Court considers the complaint "filed" on the date it concludes statutory screening under the Prison Litigation Reform Act. See Ford v. Johnson, 362 F.3d 395, 398 (7th Cir. 2004).